Appeals Will Be Made to the King for Clemency-He Has Power to Commute the sentence-Col. Lynch Led Second Irish Brigade on Boer Side-Here in 1900.

Special Cable Despatch to THE SUN LONDON, Jan. 23 .- Arthur Alfred Lynch the Irish Member of Parliament who served as a Colonel in the Boer Army during the late war, and who was formally arraigned in the Court of King's Bench last Wednesday on a charge of high treason, was convicted by the jury to-day and thereupon sentenced by Mr. Justice Wills to suffer the penalty of

The defence was based almost exclusively on the interpretation of the law of treason. on which the Court had given a series of decisions against Col. Lynch. His counsel, in the concluding speech to-day, declared that Lynch had been naturalized as a Boer solely for the advantage he would secure as a journalist. He asked the Court to say that Col. Lynch did not knowingly act as a traitor when he took up arms against Great Britain after his naturalization.

Sir Henry Carson, the Solicitor-General, replying for the prosecution, said that the only issue was whether or not the prisoner had adhered to the enemies of the sovereign. The question of belief or intent had nothing to do with the matter. Lynch's real motives, he said, were those of a discontented Irishman, who thought to avenge his wrongs by joining the enemies of his country. Lord Chief Justice Alverstone took three-

quarters of an hour in summing up. He said the case involved no difficulty either of law or of fact. It was treason to join the enemies of the sovereign for any

The jury deliberated only half an hour and made no recommendation with its verdict of guilty. The Court then put the customary ques-

tion as to whether the prisoner had anything to say why he should not be sen-Col. Lynch replied: "Thank you, I will

my nothing."

Mr. Justice Wills then passed the sen tence of death. In doing so he said: "In the darkest hours of your country's fortunes, when she was engaged in a deadly struggle from which she has just emerged, you joined her foes and did your best to shed the blood of your fellow subjects."

The conviction of Col. Lynch was a foregone conclusion, although it is not expected that the sentence of death will be carried out. There is no appeal in ordinary murder cases, but there is absolutely no case of the imposition of capital punishment for high treason where the facts were similar to those in Lynch's case, and during the trial Lord Chief Justice Alverstone suggested that certain points of law which he rejected might be argued before the higher court, meaning the House of

English opinion is unanimous that the enviction must stand, although the prolongation of the appeals might extend the case into a time when amnesties or a reduction of sentences arising from the South African war would be a matter of expe-

The wife of Col. Lynch will seek the King's clemency for her husband through former army man, who in his younger years was one of his Majesty's closest friends. Some weeks ago the matter of approaching the King was put before him by a well-known Irish General, who pleaded hat Lynch was innocent of any intention of wrongdoing. The former army officer thereupon promised that if Col. Lynch's trial resulted in conviction he would personally speak to the King.

It is centuries since an elected member of the British Legislature has been put to death for treason. The last case at all similar to Col. Lynch's was that of Lord Lovat, who assisted Stuart in the rising in Scotland in 1745. He was put to death for treason in the Tower of London, where Sir Walter Raleigh and many other historic characters, including some of the wives of Henry VIII. were beheaded. Lord Lovat's execution was the last to take place in the Tower of

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The result of the trial of Col. Lynch caused a sensation among the Nationalists in Ireland, especially in Galway, where the inhabitants gathered on the streets and excitedly discussed the verdict and sentence. They recognize that Col. Lynch must lose his seat in Parliament, but they do not believe there is a possibility of his being hanged. A movement has already been initiated in Dublin to petition for a

ommutation of the sentence. LONDON, Jan. 24 .- All the newspapers here agree in stating that it is most improbable that Col. Lynch will be hanged. Nearly all agree that the sentence was the only possible one, but they urge clemency on the grounds that the war is succesfully over and vindictiveness over it is non-existent, and that bygones should be bygones

They believe, however, that the prisoner should be punished by penal servitude for life or a long term of imprisonment. The pro-Boer Daily News and the Morning Leader respectively call the trial rather a burlesque affair and a solemn farce.

COL. LY NCH'S CAREFR.

Col. Lynch was born at Smythesdale, A tralia, in 1861. He was educated at Mel-bourne. He afterward removed to Great Britain, where he worked as a journalist. teacher of mathematics and engineer. He has written several works of inerary criti-cism. In 1892 he ran unsuccessfully in Gal-way for Parliament as an Irish Nationalist. At the breaking out of the Boer war, ac cadding to some accounts, he went to the front as war correspondent of a Paris newspaper. He afterward commanded a section of the Irish Brigade on the Boer side.

From South Africa he returned to Paris.

and in 1901, while there, was elected to Parliament from Galway as a National st. He had not sought the place, but inally yielded to the advice of friends, went to England and attempted to take his soat as a member of Parliament. He was seat as a member of Parliament. He was immediately arrested on the charge of high treason, and was arraigned in the police court last June. He was held on that charge for the Court of King's Bench, where the trial was begun last Wednesday before Lord Chief Justice Alverstone, Mr. Justice Wills and Mr. Justice Channell and a jury.

TREASON AND TREASON-FELONY CASES. The passage of the Treason-felony act in 1848 made it possible to treat as ordinary crimes the miscellaneous lot of offences against the Crown that had been techni-cally treason. The unwillingness to mag-nify the political importance of the offence led to the inclusion under treason-felony of a good many acts that might easily have been treated as treason, such as the case of the Fenians convicted at Manchester. The last trial for treason before Col. Lynch's was that of the Chartist lights, in 1840. They were convicted and rioters in 1840. They were convicted and sentenced to death, but their sentence was mitigated to penal servitude for life, and they were tansported to Australia and later pardoned.

ast time that a sentence of death The last time that a sentence of death was carried out after a conviction of treason was in the case of the Cato street conspirators in 1820. They were hanged until dead, and the quartering and other indignities prescribed by the law were inflicted in their bodies after death. In 1812 Cundell and Smith were hanged and beheaded for enlisting in the French

DEATH SENTENCE FOR LYNCH.

SETTING IN THE SENTENCE FOR LYNCH.

BETT SENTENCE FOR LYNCH.

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SETTING IN THE SENTENCE FOR LYNCH.

BETT SENTENCE FOR LYNCH

portation for life, and all were subsequently pardoned.

The last case that serves as a precedent on the naturalization plea of Col. Lynch, that of Æeas MacDonald, decides that no amount of residence abroad will suffice to exempt a native-born subject from the penalty of treason if he bears arms against the country of his birth.

The King has the power to pardon Lynch or to commute the sentence, conferred by a statute of George IV's time, and there is no precedent in over eighty years for carrying out such a sentence. Even in the treason-felony case the death penalty has been in flicted only where loss of life was involved in the crime. Lynch will probably be pardoned as soon as he has served a sentence that will debar him from entering Parliamert.

COL. LYNCH WAS HERE IN 1900.

Col. Lynch was here in 1900.

Col. Lynch was in this city in the latter part of 1900 for about six weeks. He was accompanied by about twenty Boers. He was met by the Irish Volunteers, who gave him a reception, as did the United Irish League. He was present when ground was broken for the new clubhouse of the Greater New York Irish Athletic Association at Celtic Park. During his stay in this city he was the guest of Senator Victor J. Dowling, Senator James Frawley, P. J. Conway and others. He also made visits to Philadelphia and Chicago. COL. LYNCH WAS HERE IN 1900.

SPENT \$10,000 ON ITS FIGHTERS. Clan-na-Gael Committee Tells About Some Boer War Contributions.

Four members of the committee of the Clan-na-Gael which took care of the members of the Irish Brigade when they returned from the Boer War issued a statement yesterday in reply to an attack by Col. Blake who, they say, isn't an Irishman and has been inspired to malign the man and has been inspired to mailgn the Clan-na-Gael by its enemies. The statement says that the Clan spent over \$10,000 in taking care of the returned Irishmen and other Boer soldiers. It spent \$3,225 in paying hotel bills and railroad fare for the first batch of eighty men who arrived here in November, 1900, and the clan's local branches secured work for them and, in some cases, paid their hospital bills. local branches secured work for them and, in some cases, paid their hospital bills.

"All this," the report says, "was later paid by the Clan-na-Gael itself. Other Irish Brigades men who arrived before the close of the war were treated in the same way and small sums were sent to sick prisoners of war. Some died and their funeral expenses were paid. The same treatment was accorded to those who arrived from Bermuda and Ceylon after the close of the war."

Ten men of the brigade and one native Boer were sent back through the instru-

Boer were sent back through the instru-mentality of Mr. Gordon, United States Consular agent in Johannesburg, to whom \$3,000 was sent for the purpose. REICHSTAG PRESIDENT OUT. Resigns Because of Opposition to His Ruling in the Krupp Case.

Special Cable Despatch to THE SUN. BERLIN, Jan. 23 .- When the Reichstag assembled to-day Count Stolberg-Wernigerode, the vice-president, read the resignation of Count von Ballestrem as president. The latter, after referring to he criticisms of the Kreuz Zeitung, the Conservative organ, on his action in refusing to allow Herr Vollmar to discuss the Kaiser's denunciation of the Socialists for their attacks on the late Herr von Krupp, said he felt that he did not possess the conidence of the Conservative party.

The announcement caused a sensation Some of the Conservative members cried out that the party had nothing to do with the article in the Kreus Zeitung.

CAPITOL FOR CUBA. House Votes \$800,000 to Build One in

Havana. Special Cable Despatch to THE SUN HAVANA, Jan. 23 .- The House of Repre

sentatives to-day voted the sum of \$300,000 to build a capitol for the use of the Congress. The House decided to reply to the com-Court informing the House that it was not its duty to interpret the Constitution, informing himt hat the House maintained its position in the case of Representative Corona, who is charged with murder and claims exemption from trial.

CHINESE REFORM CAMPAIGN. Circulars Issued to Revive Sympathy for

the Emperor.
Special Cable Despatch to THE SUN. PEEIN, Jan. 23.-The Chinese officials here have received copies of proclamations recently issued, which are intended to revive sympathy for the Emperor. The proclamations recite the prosecution of the Emperor by the Empress Dowager and declare that she intends to degrade him still further.

The proclamations are signed "All Reformers." It is said that a million copies have been circulated.

DISCUSS OUR TREATY WITH CUBA British Chambers of Commerce Send Deputations to Lord Lansdowne.

Special Cable Desputch to TRE SUN. LONDON, Jan. 23 .- A deputation which included representatives of the Chambers of Commerce of London, Liverpool, Manchester, Glasgow, Edinburgh and other places waited on the Marquis of Lansdowne, the Minister of Foreign Affairs, at his residence in Berkeley Square to-day for the purpose of discussing the proposed reciprocity treaty between the United States and Cuba. The proceedings were strictly private.

Ald for the Starving Bretons.

Special Cable Despatch to THE SUN. PARIS, Jan. 23 .- A collection for the tarving Bretons will be taken up on the Bourse to-morrow by a number of promi nent actresses, including Sarah Bernhard and Jane Hading, who will be escorted by a number of well-known authors. Mgr. Lorenzelli, the Papal Nuncio to France, has forwarded 4,000 francs to the Bishop of Quimper, in behalf of the Pope, for the relief of the suffering fishermen.

To Boom Sugar Making in Danish West

Special Cable Despatch to THE SUN.
COPENHAGEN, Jan. 23.—The Government has submitted to the Folkthing a bill providing for the formation of a sugar making company at Santa Cruz, Danish West Indies. The capital of the concern will be 3,000,000 kroner, of which the Government will take half.

To Connect Belgium and the Congo by

Special Cable Despatch to THE SUN. BRUSSELS, Jan. 23.-It is stated that King Leopold has summoned Signor Marconi to this city in February to arrange for establishing wireless telegraphy between Belgium and the Congo Free State.

Pope Receives Mgr. O'Connell. Special Cable Despatch to THE SUN.
ROME, Jan 23.—The Pope gave a farewell audience to-day to Mgr. O'Connell, the newly appointed rector of the Catholic University at Washington.

Reclected Lord Mayor of Dublin Special Cable Despatch to THE SUN. DUBLIN, Jan. 23 .- Timothy Harrington, M. P., was to-day elected Lord Mayor of Dublin for the third time THE FRANCHISE TAX CASES.

ATTORNEY-GENERAL CUNNEEN AGREES WITH MR. FORD

That the Appellate Division Decision Does Not Knock Out That Part of the Law Declaring Special Franchises Real Estate-All Cases to Go to the Court

ALBANY, Jan. 23.—The contention of exenator John Ford, the author of the Ford pecial Franchise Tax law, that the recent Appellate Division decision does not knock out that part of the law declaring special franchises to be real estate, and that the local assessors can go ahead and assess the franchises without further legislation, is upheld by Attorney-General Cunneen. This also is the view taken by the New York City Tax Commissioners, who unexpectedly announced on Tuesday that they had assessed the special franchises in that city for the present year. In an official statement made to-night

Attorney-General Cunneen said: "I shall contend upon the argument of the special franchise tax appeal before the Court of Appeals, among other things, that the first section of the Franchise Tax law, defining these franchises as real estate and therefore taxable property, is in no way affected by the decision of the Appellate Division, and that the only effect of this decision, if sustained by the Court of Appeals, will be to cause the assessment to be made by the local assessors of each city, town and village, instead of by the State Tax Commissioners, as it has been done since the statute was enacted."

On the application to-day by Attorney General Cunneen, the Appellate Division handed down five decisions in the special franchise tax cases, which decisions are ntended to facilitate the final disposition of the litigation over the so-called Ford law in the Court of Appeals. The court racdified the decision given on Tuesday get in the case of the State against the Metropolitan Street Railway Company, n which the judgment of the lower court cas reversed and the assessment made by the State Board of Tax Commissioners was vacated, so that the decision covered the facts as well as the law in the case. The court also gave a similar deci ion affirming the lower courts as to the facts and reversing the courts below as to the validity of the law in four other cases, viz., those of the Brooklyn City Railroad Company, the Coney Island and Brooklyn Railroad Company, the Consolidated Gas Company and the New Amsterdam Gas Company of New York city.

There cases cover all the questions of law and fact involved in the special franchises tax litigation, except that covered in the New York city subway case, so that all the important points will be covered in the matter of this litigation in the shape it is to be placed before the Court of Ap-

Attorney Charles A. Collin of the firm of Attorney Charles A. Collin of the firm of Sheehan & Collin of New York city, representing the corporations, appeared with the Attorney-Ceneral and agreed to the prompt decisions as given in the five test cases, so that the whole litigation could be more promptly decided by the highest court David B. Hill, as counsel, appeared for two New York city corporations, at the request of their attorneys, with regard to the form of their attorneys, with regard to the form of the orders to be agreed upon. To-morrow in New York city the attorneys for morrow in New 10rt city the attorneys for the corporations in these cases will have a meeting to decide on the form of order to be entered in making the judgment of the court; from which the Attorney-General will promptly take an appeal to the Court of Appeals. In explanation of the pro-cedure had before the Appellate Division

cedure had before the Appellate Division to-day Attorney-General Cunneen gave out the following statement:

"On taking up the franchise tax cases I found that but one had been decided. I also found that these cases presented questions slightly different; that they also presented questions of fact and questions of fact and questions of law. The Appellate Division has jurisdiction to decide questions of fact and questions of law, while the jurisdiction of the Court of Appeals is limited to questions the Court of Appeals is limited to questions

questions of law, while the jurisdiction of the Court of Appeals is limited to questions of law only.

"I found that in the decision announced in the Metropolitan case the court had not expressly decided both facts and law. The Court of Appeals would not hear an appeal under these circumstances, because a decision of the facts on which the legal conclusion follows had not been expressly made by the Appellate Division, and if under these circumstances I attempted to appeal the case would be sent back to the Appellate Division for correction of the decision. To avoid this delay, and the delay that would be occasioned by appealing the cases one at a time, I entered into communication with the attorneys for the corporations, and also with the Justices of the Appellate Division, and it resulted to-day in having the decision heretofore announced in the Metropolitan case corrected, and the decision in five other cases announced, with an explicit statement by the ounced, with an explicit statement by the

nounced, with an explicit statement by the court that the facts in each case had been examined and affirmed, while the judgment was reveried upon the law.

"The sixth case, the so-called Subway case, was not ripe for decision, because there is a disputed question as to the fact as to the valuation of the property involved, which the court was not prepared to decide.

"The attorneys for the taxpayers will have a meeting in New York to-morrow and agree upon a form of decision to be entered in the Appellate Division. This will be submitted to me, and if not satisentered in the Appellate Division. This will be submitted to me, and if not satisfactory will be settled as to form by Mr. Justice Chase, to whom this duty has been assigned by the court. The orders will then be entered and appeals taken forthwith by the State, and the cases will be ready for argument in the near future."

First Bill of the Session Signed. ALBANY, Jan. 23 .- Gov. Odell has signed the first bill of the present session, that of Senator Ambler, appropriating \$10,000 for he enforcement of the quarantine against the New England States on account of the hoof and mouth disease.

TO REFORM HERALDS COLLEGE. Earl Roberts's Protest Against Heavy Fees Has Effect.

Special Cable Despatch to THE SUN.

LONDON, Jan. 23.—The Treasury has appointed a committee to inquire into the constitution, duties and administration of the Heralds' College and chanceries of the various orders of Knighthood, and into the origin and amount of all charges incident upon the sovereign's bestowa of honors. The committee is to report

hether changes are advisable. It may be taken that this action is the atcome of the difficulties over the fees that Field Marshal Earl Roberts refused to pay to the College of Heralds upon the occasion of his being made a Knight of the Garter. These fees amount to £1,000.

Brooklyn Approach to Manhattan Bridge. The Board of Estimate held a public hearing yesterday on the proposal to build an approach to the Manhattan bridge on

LIVE TOPICS ABOUT TOWN.

The bellboy at the hyphenated hotel came through the corridor with a card in his hand and passed into the men's restaurant, calling out the name of the guest he was seeking Habitual visitors paid no attention to the boy, for most of them knew by sight the bearer of the name he was calling. But the casual strangers in the hotel were more interested. Those who were walking contrived to keep near the messenger. Others arose and joined the little group that was trailing behind him. In the restaurant the sound of the name had the same effect. It was the luncheon hour and the room was crowded. Strangers looked up and watched the progress of the messenger. The boy returned to the corridor and the men who had watched him on his way through the dining room started after him again. They followed down the main hall, through the pariors and back again to the main dining room. As he continued to call out the name, the number of stragglers increased name, the number of stragglers increased. They stayed doggedly on his trail as if they could not lose a sight of the celebrity after having wasted so much time in the effort. Finally the boy brought up again at the office. He had led the little cohort through the whole hotel without finding his-man. The group melted away as the clerk took the card and, turning it to its owner, said:

owner, said:
"Mr. Gates is not in to-day."

Count Robert de Montesquiou-Fezensac is unhappy in the publicity of a hotelany hotel. He is seeking more secluded and aristocratic quarters, although it has not yet been found possible to secure just the apartments suited to the noble poet's taste. All those adapted to the proper revelation of his soul in private happened o be occupied already by other persons It was a part of the general indifference of the United States to his interesting presence here that the occupants of these rooms refused to move out merely because the Count thought he would like to move It is owing to such continued selfishness that the descendant of D'Artagnan. and his faithful secretary are compelled

ond his lattiful secretary are component to put up in an ordinary hotel.

Owing to this and other detractions the beautiful Count has not been able to gather about him the customary group of devotees which invariably accompanies him abroad. which invariably accompanies him abroad. In Paris he never appears without this zealous band of acolytes. Either the soulshowing cult does not exist here or is shy about coming forward. He is beginning to think that he ought to have imported a few disciples. It is as the centre of such a group that the Count makes his picturesque public processions in Paris. and a group that the count makes in paris, and it is gross neglect on the part of his press agent not to have supplied him with his blue hydrangeas and supernumeraries here.

One of his friends at the club had reurned from a trip to the South and was keenly searching for a fellow member who had given him a letter of introduction to one of the local dignitaries of the town he had visited. He was vowing all kinds of vengeance on this fellow member who had played such a trick on him and he con-fided its details to their mutual friends. He had presented the letter, which began in the most familiar, intimate way. After its recipient had recovered from his astonishment, it became evident that he had not the slightest recollection of the writer His name suggested nothing and no amount of descripiton could arouse the slightest recollection in the dignitary's mind. But awkward as the manner of their meeting awkward as the manner of their needing was, their resulting acquaintance was pleasant. But wasn't that a nice trick to play on a friend—giving him a letter to a man who hadn't the slightest idea who the fellow was?

fellow was?

They met at last and there was electricity in the air for a few minutes. The other members, who had been awaiting the encounter, turned from the windows long enough to listen. The letter writer began his defence.

"Don't I know you well?" he asked. "And haven't I known you a long time?" came next. Both questions got an affirmative answer.

"And do you suppose, under those circumstances, I would ever give you a letter of introduction to a man I really knew?"

The audacity of that defence was even too much for the indignant victim, and he invited them all to have theirs with him.

When Jan Kubelik came to New York last winter, he brought with him a youthful compatriot named Friml. He was not beautiful and he spoke only his native Bo hemian. So, spart from the effect he made by his piano playing. Friml was not an impressive figure in the Kubelik retinue. The riolinist had made his acquaintance only a short time before he sailed for this country but he admired him and his talent, so brought him along, and he will probably return to this country next season when Kubelik comes back. But he will be a much more finished player by that time. Daniel Frohman received yesterday letter from Europe telling of the good fortune that had befallen Friml. He has been n Vienna since his return and has been a in Vienna since his return and has been a pupil of Leschetitzy. Of course he could not have afforced this education from his own means or from the amount he earned here last winter. His friend Kubelik has met all the expenses of his musical education in Europe, and will continue to do so until the young Bohemian feels that he has learned anough to come forward as a winter. until the young Bonemian recis that he has learned enough to come forward as a vir-tuo-so. Mr. Frohman thinks that will be next year, when he will be ripe to return here with the friend who has done so much for

New York has more luxurious theatres than any other city, and within a short time the number of them will be greater than those of any other metropolis in the world. The city's playgoers support every type of theatre but one. There is no music hall here of the kind found in every city of any size from one end of Europe to the other. The variety shows which these places offer are almost invariable in their features. Whatever their geographical situation may happen to be, the regular round of attractions is to be found n all of them. They are important chiefly because they provide a place in which to pass the evenings with the opportunity for smoking and, if need be, of drinking. But New York has no resort of this kind. The only place that allows its patrons this privilege is in all other respects a regular theatre with none of the opportunities for informal lounging that these places afford in Europe. At one time there were music halls of the very best class here. They nearly monopolized the field of amusement for several years, and managers struggled to bring the best talent here from Europe. But the pendulum swung back suddenly and the music hall blossoms now only on a roof in the summer time. because they provide a place in which

Mme. Roger-Miclos, who has come here from Paris, has the uncommon reputation of playing the piano well in addition to being a beautiful woman. This combina tion of gifts is rare. Beautiful planists are unusual and their talent likely to be in inverse ratio to their pulchritude. Mme Roger-Miclos, however, would be con an approach to the Manhattan bridge on the Brooklyn side of the river by cutting a thoroughfare from the junction of Flatbush avenue and Fulton street to Sands street. As most of the persons who appeared spoke in favor of this scheme, the Board of Estimate will probably authorize the improvement.

Died Without Medical Attendance.

CLEVELAND, Ohio, Jan. 23.—Horace L. Rossiter, a Christian Scientist, at one time private secretary of Congressman W. J. White, died to-day of consumption. He refused to allow physicians to attend him. sidered good looking according to stand

MAYOR LOW BILLS HELD BACK.

CITIES COMMITTEE IN NO HURRY TO REPORT THEM.

Many City Charter Amendments Intro-Electrical Chemist at \$2,500 Salary. ALBANY, Jan. 23 .- To-day's session of the Legislature was in keeping with Friday

to be expended by the Commissioner of Agriculture in maintaining the quarantine against animals affected with hoof and Governor at once. This is the second bill of the session to be passed in both houses, the first being the bill making appropriations for the current expenses of the Legislature. Some of the New York Assemblymen

feel a little nettled at the refusal of the Cities Committee to make haste in reporting the Low administration bills. Assemblyman Finch at yesterday's session of the committee said there was something behind the action of the committee which he could not explain. Last year the Low administration was given whatever it wanted, with few questions asked. But Chairman Burnett says the committee has had only one meeting, and he does not want to report any bills until the members have had an opportunity of examining them. There are many New York city Charter amendments desired by the Low administration and more are to come. The bills

tration and more are to come. The bills giving the Commissioner of Street Cleaning police jurisdiction in removing obstructions from the streets will be introduced next week. Corporation Counsel Rives has been engaged all of this week in getting them in shape for introduction. Assemblyman Hinson (Tam.) introduced two rather unique bills to-day. One provides for the creation of the office of State Gas and Electrical Chemist, who is to receive a salary of \$2,500. He is to have been a professor in chemistry prior to his appointment. His duties are to consist of making analysis of the products of the various lighting companies under contract to furnish light for municipalities and villages. He is to deterimine whether or not the quantity of gas or electricity comes up to the contract requirements, and is to have access to the lighting plants at all times, to make his tests. The refusal of a corporation to permit him to make the examinations is to be punishable by a fine of not less than \$50 nor more than \$500 The Attorney-General is to prosecute all Attorney-General is to prosecute all

violations.
The other measure makes it a misce meanor for schools of correspondence to advertise fraudulent benefits from taking their course or advertising employment unless the offer of pay is in weekly payments or cash. It is claimed that a large number of unscrupulous persons are re sorting to this method to get money from unsuspecting persons without giving any results. The students are compelled to buy their outfits from these concerns and often they receive nothing but the book

in return for their money.

Senator Ambler (Rep., Columbia) again has introduced his concurrent resolution authorizing the State to sell the canals to the Federal Government. This same to the Federal Government. This same resolution has been before the Legislature

resolution has been before the Legislature for the past six years.

These other bills were introduced:

Assemblyman McInerney—Allowing the County Clerk of Kings county to receive a fee in excess of 10 cents for each search made.

Assemblyman H. Cbnklin—Providing that when an execution is served by a Marshal in New York city the prospective fees of the County Clerk and Sheriff must be omitted.

Assemblyman J. T. Smith—Providing that a bank shall not be liable to a depositor for payment of a forged or raised check unless the depositor shall produce the check.

Assemblyman Ruehl—The semi-monthly steam railroad employees pay bill.

Assemblyman Robinson—Compelling railroads to keep mileage books on sale at all ticket offices. At present the railroads are only compelled to have mileage books on sale at ticket offices in cities and incorporated villages.

Two Downtown and One Uptown All That Greene Has Granted. Police Commissioner Greene made public yesterday the list of places for which allnight liquor licenses had been asked since the first of the year, and of his action thereon. This is the list that he forwarded to

the Mayor on Thursday. The only places licensed to keep open after 1 o'clock this morning were the Hotel Cadillac at Broadway and Forty-third street and two saloons on Park row near the Bridge entrance. In all, thirty-nine licenses have been granted since Jan. 1. None of these all-night licenses has been for more than five days, and in most instances for

Not a single hotel or restaurant in the Tenderloin precinct was licensed to sell liquor after 1 o'clock this morning and none of them applied for a license yester-

One of the places that got an all-night license twice during this month is Jack's restaurant in Sixth avenue near Forty-third street.

One of the old-timers at Headquarters gave this explanation of the situation to a Sux reporter yesterday:

"The question of all-night licenses has

"The question of all-night heenses has not been brought to the attention of the Commissioner heretofore. Many of these places haven't bothered themselves about an all-night license, for the simple reason that the police hadn't taken steps to enforce the law. Then, again, some of them did business directly with the Captain the consecutive wasn't and the matter wasn't or some other power, and the matter wasn't even brought down here to Mulberry

Now this man O'Reilly gets up in the Tenderloin and finds that a lot of places are selling drinks after prohibited hours, and he brings the matter to the attention of the Commissioner, who sees a chance of the Commissioner, who sees a chance to collect a lot of \$10 bills."

CAPT. GORMAN ACQUITTED.

Gen. Greene's Charges Fall and He's A signed to Succeed Chapman. Capt. Michael Gorman, who was sus

pended two weeks ago by Commissioner Greene on charges of neglect of duty, was placed on trial at headquarters yesterday before Deputy Commissioner Piper. Capt. Gorman was in command of the Union Market station when Gen. Greene and Inspector Brooks on a Sunday automobile tour found a saloon in Rivington street open and filled with men.

Capt. Gorman was acquitted of the charges on the ground that the Rivington street place was the only violation in the precinct, and, furthermore, that Gorman had given orders to his men the night before to see that the law was enforced.

Commissioner Greene restored Capt.

Gorman to duty and assigned him to the

ommand of the Mercer street station, to ucceed Capt. Chapman. The first thing Capt. Gorman did yesterday on reaching the trial room was to announce that he would be his own lawyer. Then he laid on the stenographer's desk thirty-five gold medals he had received from life-saving societies.

Greene and Woodbury Tour the East Side. Police Commissioner Greene took another automobile trip last night. This time he accompanied Street Cleaning Commissioner Woodbury on a tour of the East Side streets. Many complaints have been made recently concerning the dumping of garbage in these streets. Commissioner Woodbury thinks the police could put a stop to this.

AROUND THE GALLERIES. Paintings by Homer D. Martin at Clausen's Gallery; Drawings by Him at Macbeth's.

By an interesting coincidence two exhibitions of Homer D. Martin's work are being held simultaneously. At Clausen's Gallery there is a display of paintings, most, if not all, of which will be new to the public, while duced and More to Come—Bill to all, of which will be new to the public, while at Macbeth's can be seen a number of drawings executed chiefly in the '60s and '70s.

The paintings do not include any con-

spicuously great example, but several very

choice ones. None of them is comparable, morning sessions of the past. In either house not more than a handful of members was present. The Senate attempted no business, but the Assembly passed tion a few that occur to one's recollection. Senator Ambler's bill appropriating \$10,000 these are among his masterpieces and represent epochs in his work, while the pictures here are rather very good examples of his habitual mood. His primary purpose was mouth disease, and it was signed by the to render the character of the scene; yet he was little content with a merely objective record. At the back of his brain was always some mood of feeling, either suggested by the landscape or to which he found the landscape capable of responding. and this he would introduce as a leit motif into his picture. Yet such was his natural reserve about those things which touched him most closely, that while he strove to express his feeling in his subject, he was perhaps a little unnecessarily anxious not o appear to be doing so. He had the strong man's dislike of displaying his emotion. Thus to a casual observer his pictures may sometimes be lacking in sentiment, as they do not make the obvious appeal of many landscapes; but on the other hand, when sympathetic insight has probed the picture he sentiment, when it is discovered, is found to be of more than ordinary depth and poignancy. Among the examples shown here, the

"Old Abandoned Mill, St. Cloud," is a notable instance of this suppressed emotion. It is exceedingly dramatic; not, however, with the gesticulatory vehemence that usually passes for dramatic expression; but with the quiet concentration, say of Duse, when with arms hanging by her sides and figure motionless, she wrings your heart by the sustained harmony of melo dious utterance and convincing play of features. Just so are the plastic repose character of detail and color melody of this picture; the weather-beaten mill, with its skeleton arms, gaunt and isolated; two scraggy, wind-stunted birch stems, and back of this desolation and despondency a belt of prosperous trees, luxurious in autumn tints. There is the general suggestion to which each may give the special application that his fancy or experience suggests. The picture seems, indeed, to offer a very illuminated and peculiarly beautiful example of Homer's manner of using nature. "Newport," "Near Moret" and "Normandy Bridge," also, in their several ways are eminently characteristic; while "The Sand Dunes," perhaps the most notable of all the pictures here for perfection of delicate and harmonious ensemble, is a truly beautiful exposition of the sweet and lovable side of the painter's character. Its perfection is equally one of most sensitive truth to nature and of

poetry in paint.
"The Mill" is exceedingly interesting. both because it is an early work, dated as far back as 1885, when Homer was about 30 years old, that is to say, at the mid-point of his life, and also because in thedrawing of the rocks in the foreground it exhibits of the rocks in the foreground it exhibits a complete mastery of form and structure. They are rendered with more detail than appears in his later work; with a consciousness of the signific unce of facts, that has, however, not yet succeeded in separating the cause from the effect and in losing sight of the accidental and less important in its search for the salient and normal characteristics. But it is a fine and instructive reminder that his subsequent impressionistic method was based on the most minute and patient observation.

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minute and patient observation.

And this brings one to the collection of
drawings which are exhibited at Macbeth's
Gallery. One might have expected to find
in them some trace of this exhaustive study,
but will not. Rather they are random
notes, of the lines and lay of the country,
or of the general shape and character of
trees. The fact is that Homer's study
was a mental one. While apparently
lying lazily in the sun and doing nothing,
he was absorbing the scene in its integrity
and in its parts, so that such drawings as
these are the merest memoranda, aids to
his memory of the studies and impressions
mentally completed. Nor have they any
intrinsic charm of technique; the line is
without individuality or distinction; he
himself would never, we may be sure,
have attached any value to them except
for his own use, and, to be perfectly honest,
they have little value to ourselves except
in the negative way of proving how comreletely otherwise was the manner of his in the negative way of proving how com-pletely otherwise was the manner of his true study.

Paintings by Horatio Walker at the Mont ross Gallery.

At the Montross Gallery an exhibition being held of landscapes by Horatio Walker. They include water colers and oil paintings, several of his latest works, and, among the older ones, several in private ownership that have not been publicly shown before.

It is a display of extraordinary force, in which unusual beauty of color is allied with learned drawing and with big and wholesome sentiment. Mr. Walker draws his subjects from the Isle of Orleans in the St. Lawrence River, where for many years he has spent his summers and not infrequently the autumn and winter, so that he knows thoroughly the locality and the character of its people. The latter are of old French stock, retaining the racial characteristics, the customs, even the farm implements and breeds of animals of their forefathers. And in this modern Acadia he has mingled with the inhabitants with habitual sympathy and understanding, seeing in their daily service not a servitude but a routine of usefulness as natural as that of the seasons, and in their relation to the soil no degradation, but a fit and

obvious harmoniousness. It is in the completeness with which he has realized the true inwardness of the lives of those people, as well as because of his own large-heartedness as a man and his vigorous skill as an artist, that in all his vigorous skill as an artist, that in all his work there is a broad, full note and in an aggregation of them an appeal of peculiar impressiveness. If one should venture upon a selection to illustrate these qualities, it might well be "Oxen Drinking." Many of us, no doubt, have seen it several times, but, I expect, with increasing admiration. There are qualities in it which recall Troyon at his best and meanwhils it is essentially a personal product of the painter; and one of such pictorial charm and quite Homeric largeness of feeling as to be indeed a masterpiece.

It is only occasionally that Mr. Walker rises to this grandeur of expression; but in the modest pictures also there is largeness; of knowledge, of method and of feeling. He makes one feel that his bigger than his subject; that there is always a reserve

rie makes one feet that he is oldger than his subject; that there is always a reserve of strength behind this vigorous expres-sion. And, just as in a race one would rather see the winner finishing as if he had another race in him than falling in limp exhaustion over the tape, so this suggestion in a picture must increase our en overent exhaustion over the tape, so this suggestion in a picture must increase our enjoyment in it. But while we note the virility of this artist, do not let us overlook the remarkable tenderness of feeling and of technical expression which equally characterises his art. No better example could be named than the "Barnyard," where a tired, old white horse is standing near a barn, in the waning light of evening.

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cal suggestion, that perfectly accords with the sentiment of kindly sympathy that we feel the artist had with the faithful beast. in watercolors, as are several others; marvels of expression and of manipulative skill in this difficult medium. But to Mr. Walker oils and vetercolors present no differences of difficulty; he handles them with equal aptitude and adopts the one or the other simply as the subject seems to demand. Consequently, among his minor works, there is no difference of quality between his watercolors and his oils; you will often be obliged to examine closely before you can be sure in which of the two mediums the picture is executed. For the water colors have a completeness and sufficiency that is quite unusual. that is quite unusual.

This eminently interesting exhibition will remain on view until Feb. 7.

Burt to Leave Union Pacific? OMAHA, Neb., Jan. 23 .- It is rumored hat Horace G. Burt is about to be succeeded that Horace G. Burt is about to be succeeded as president of the Union Pacific Railroad by W. L. Vanbrunt, the new president of the St. Joseph and Grand Island Railroad. It is alleged that President Burt has incurred the displeasure of the Harriman interests by his failure to end the strike of the shopmen, which has crippled the road.

Thieves smashed a plate glass window of David Siegel's clothing store at 2993 Third avenue early vesterday morning and got away with clothing valued at \$160 Siegel didn't hear them and the policemen didn't see 'em, though there was an arc light in front of the store.

Harlem Against the Ford Law Repeal. The Harlem Property Owners' Association elected these officers last night: President, J. L. O'Brien: vice-presidents, D. H. Scully and E. J. Murray; secretary, Arthur T. Bostwick; treasurer, Christopher Schilwachter. A committee was appointed to protest against the repeal of the Ford Franchise law.

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